

Clermont County, Ohio
Surveying Standards and Procedures
For Highway Projects

(1) Surveying Control

Projects located within Clermont County shall be referenced to the following Datums. Horizontal control shall be based on the North American Datum of 1983/1986, Ohio State Plane Coordinate System - South Zone (3402). Vertical control shall be based on the North American Vertical Datum 1988 (NAVD 88). GPS control monument locations and coordinate data can be obtained from Clermont County Engineer's Office Website at the following address. <http://www.cceo-oh.org/surveying.asp>

(2) Additional Right of Way Acquisition

(A) Permanent Highway Easements

(a) Describe easements with Easement Plat and Legal Description.

(1) Plats and descriptions shall conform with the Clermont County Transfer and Conveyance Standards (Exhibit A)

(2) Exception: Permanent monumentation is not required at proposed permanent highway easement corners

OR

(b) Describe easements with a Recorded Easement Plat

(1) Plats shall conform with the Clermont County Transfer and Conveyance Standards (Exhibit A) and be sized 24"x36" or 22"x34"

(2) Plats shall contain all required signature blocks for a Record Plat

(3) An identifier must accompany each new parcel or easement
ex. 1 – WD, 1 – P, 1 - T

(4) An acreage table showing acreage of each new parcel or easement and its identifier, owner information, and parcel number

(5) The legal descriptions do not need a metes and bounds description.

(6) Sample legal description body

Parcel 1-WD of survey plat recorded in Plat Cabinet _____ page _____ of the Clermont County Recorder's Office.

(7) Recorder's fee of \$80 per page for recorded plats

(8) Lien holders are not required for easement acquisition

(9) Exception: Permanent monumentation is not required at proposed permanent highway easement corners

(B) Fee Simple Acquisition

(a) Minor Subdivision Application Process (Exhibit B)

(C) Right of way drawings will not be accepted for highway easements or fee simple acquisitions

(D) Any change to an existing recorded subdivision lot requires a Re-plat of the lot

(a) Any new easement or minor subdivision in a recorded subdivision must be re-platted. See Clermont County Subdivision Regulations Section 904

(b) Record Plat/Re-Plat Checklist

(1) Clermont County Subdivision Regulations, Article IV page 11

<http://planning.clermontcountyohio.gov/AdoptedSubdivisionRegulationsFinalEnacted.pdf>

Exhibit A

CLERMONT COUNTY TRANSFER AND CONVEYANCE STANDARDS OF THE CLERMONT COUNTY AUDITOR AND THE CLERMONT COUNTY ENGINEER AS ADOPTED UNDER OHIO REVISED CODE SECTION 319.203, AS A RESULT OF TWO PUBLIC HEARINGS HELD ON MARCH 25 & APRIL 8, 1999.

EFFECTIVE APRIL 15, 1999

(1) Application of Transfer and Conveyance Rules.

These rules apply to any transfer and conveyance of an interest in real property made by conveyance, partition, devise, descent, court order, certificate of transfer, affidavit, or any other document, that would cause any of the following:

(A) Change In The Name Of Owner (s) Of Land.

Any document that creates, transfers or terminates any interest in land or minerals that would cause the County Auditor to change the name of the owner or any one of the owners must be presented to the County Auditor under O.R.C. 319.20:

(B) Change In Description.

Any document that changes, corrects, or amends the description of any parcel of land must be presented to the County Auditor under O.R.C. 5713.02: and

(C) Transfer Of Interest That May Affect True Value.

Any document that creates, transfers, or terminates any interest in land that may affect the true value of a parcel for real property tax purposes must be presented to the County Auditor under O.R.C. 5713.03.

(2) Special Transfers.

The following transfers are subject to special requirements:

(A) Transfer By Affidavit Of Next Of Kin.

A transfer under the law of descent and distribution shall be made pursuant to affidavit under O.R.C. 317.22. Furthermore, because of the difficulties the County Auditor has had with this type of transfer, a copy of the death certificate or other official acknowledgment of death must be attached to the affidavit.

(B) Transfer Of Survivorship Interest.

A transfer of a survivorship interest shall be made pursuant to O.R.C. 5302. 17, only upon certificate of transfer or upon affidavit and certified copy of a death certificate of the deceased joint tenant.

(C) Exempt Transfers Using "B", "G" or "M" As The Reason For Exemption.

An Affidavit of facts must accompany any exempt transfer using "B", "G" or "M".

(3) Specific Requirements For All Documents Of Transfer.

All documents transferring an interest in real property that are subject to O.R.C. 319.20, including all court orders and certificates of transfer, shall contain all of the following:

(A) Reference to Prior Instrument of Record.

A reference to the volume and page of the record of the next preceding recorded instrument by or through which the grantor claims title as required by O.R.C. 319.20:

(B) Tax Mailing Address of Grantee.

A statement of the complete tax mailing address of the grantee or any one of the grantees, as required by O.R.C. 319.20;

(C) Identification Of Interest Conveyed.

The grantor shall inform the County Auditor in writing whether the grantor is conveying less than the grantor's current interest in the land.

(D) Instruments To Conform To Law.

All deeds and other instruments transferring an interest in Real Property shall conform to the laws of Ohio or to the law of the place where the instruments were executed.

(E) Document Of Transfer Shall Include Parcel Number and Address.

The document of transfer shall include the County Auditor's parcel number (s) of the land and the current site address of the property, if any.

(F) Subdivided Parcels With a Building(s)

A statement as to whether the building(s) remain on the parent tract or goes with one (1) of the subdivided parcels.

(G) Conveyance Forms

No instruments will be transferred unless accompanied by a properly completed DTE 100 or DTE 100EX conveyance form.

(4) Quality Of Documents.

No transfer will be approved by the County Auditor unless the documents presented to the County Auditor meet all of the following requirements:

(A) Original Required.

The document of transfer must have the original signature of the grantor or affiant. In most cases, a copy of a court order will be accepted, but the copy must bear the signature of a judge and show on its face that it has been filed with clerk of court or be a certified copy from the clerk of courts.

(B) Poor Original Not Accepted.

No document of transfer will be accepted which has attached to it a previously recorded document that is identified as a "Poor Original".

(C) Illegible Writing

No document of transfer will be accepted in which the document or attachment to it, is illegible as determined by the County Auditor or County Engineer. All information must be typed on the DTE 100 or DTE 100EX.

(5) Survey.

A field survey shall be conducted and a plat shall be prepared for all subdivisions of land within Clermont County, Ohio. Survey plats shall also be prepared for re-surveys of parcels which will result in a new legal description of conveyance purposes. Survey plats shall be filed with Clermont County Tax Map Department in conformance with the following requirements:

(A) All surveys shall conform to the "minimum standards for boundary surveys in the State of Ohio" as adopted on May 1, 1980 of the administrative code Chapter 4733-37. The survey plat shall be neat, legible, and in all respects, a professional document. The plat shall be on a scale which will adequately represent in legible detail all of the pertinent aspects of the survey. (Plats with contour lines or with proposed on site sewage systems will not be accepted).

(B) The following information shall be shown on all survey plats:

(a) Names and right-of-way of all streets, roads and highways.

(b) Easements

(c) All Military Survey lines, county lines, township lines and municipal corporation lines. (acreages are to be separated if surveyed parcel is located in one or more of the above)

(d) Tax Map Department block will be placed in the upper right hand corner of plat showing parcel I.D. number of parent tract.

(e) Military survey name and number.

(f) Reference tie:

(1) The intersection of the centerline of two (2) existing public roads. This tie shall be measured along the centerline of one of the public roads involved.

(2) The intersection of the centerline of an existing Public Road and a Virginia Military Survey Line. This tie shall be measured along the centerline of the existing Public road involved or along the Virginia Military Survey Line.

(3) The intersection of two (2) Virginia Military Survey Lines. This tie shall be measured along one of the Virginia Military Survey Lines involved.

(4) A lot corner of an existing recorded subdivision.

(5) A lot corner in a Municipal Corporation.

(g) Property corners in roadways shall be referenced by offset monuments at or near the right-of-way on the property lines.

(C) All survey plats shall be 18" x 28" with a 3" binder tab to the left side and shall be drawn in ink on linen or mylar sheets. (4 mil. double matted) with original seal and signature)

(D) Closures will be submitted with all surveys.

(E) All record plats shall be 24" x 36" with a 3" binder tab to the left side and drawn in ink on linen or mylar sheets (4 mil double matted) with original stamp and signatures.

(a) Monumentation

(1) Iron pins will be set at all outside corners of the Parent Tract.

(2) Railroad spikes will be set at all centerline intersections, center of all cul-de-sac's and the PC's and PT's of all curves.

(b) All easements will be shown with centerline bearings and distances and related to lot lines except those labeled and identified as private drainage easements.

(F) All replats shall be 24" x 36" with a 3" binder tab to the left side and drawn in ink on linen or mylar sheets (4 mil. double matted) with original stamp signature.

(a) Iron pins will be placed on all newly created lot corners.

(G) Annexation plats shall be 24" x 36" with a 3" binder tab to the left side and drawn in ink on linen or mylar sheet (4 mil double matted) with original stamp and signature.

(H) Vacation plats shall be 18" x 28" with a 3 " binder tab to the left side and drawn in ink on linen or mylar (4 mil. double matted) with original stamp and signature.

(I) When a new legal description is prepared the following statements shall follow the description or be incorporated into the body of the description:

"The above described real estate is a part of (or all of) the same premises described as recorded in Deed Book _____page_____of the Clermont County Ohio Deed Records and identified as parcel no. on the Tax Maps of said County. Being the result of a survey and plat dated _____ made by _____P.S., Ohio Reg. No._____.

(J) Deed Descriptions:

(a) Any deed with three or more exceptions will not be transferred.

(b) Deeds that are presently on record will not be accepted for transfer unless the lengths and directions, of the description, specify the mathematical error in

closure of the property boundary has an accuracy of not less than 1 part in 5000 parts.

(c) Any deed must conform with the most current survey on file in Tax Map Department which conforms with minimum standards.

(K) Requirements for Ties to County Survey Monuments:

(a) All surveys performed in Clermont County for new Subdivision Plats requiring the construction of new public streets, private streets or creation of new easements of access shall be required to tie into a minimum of two (2) County Survey Monuments:

(b) All new survey plats of two acres or more for the fee transfer of land shall be required to tie into a minimum of two (2) County Survey Monuments provided a County Survey Monument is located within a 2 mile radius of the proposed survey.

(c) All new surveys, which encompass two or more counties, shall be required to tie into a minimum of two (2) County Line Survey Monuments (if the County Line Survey Monuments are available).

(d) Transfers between adjoining property owners, Pursuant to section 711.001 Subsection (B) (1) of the Ohio Revised Code will be exempt from ties to County Survey Monuments.

(L) Metric Measurements:

(a) Each course of a new metes and bounds description prepared using a metric system shall include the following:

(1) Distances shall be recited in meters and decimal parts thereof, along with the equivalent distance in feet and decimal parts thereof.

(2) Bearings shall be expressed in degrees, minutes and seconds.

(3) Curves must contain the direction of the curve (right or left), the radius in meters and decimal parts thereof, and the long chord bearing and distance in meters and decimal parts thereof of the curve.

(b) Area shall be expressed in hectares along with the equivalent area expressed in acres calculated to the third decimal place as required by the County Engineer.

(c) The U.S. Survey foot definition shall be used when converting between meters and feet. The conversion ratio of 39.37/12 is the U.S. Survey foot multiplier used to convert from meters to feet.

Exhibit B
Minor Subdivision Process

- (1) Certificate of Compliance
 - (A) Required Items
 - (a) Map/Drawing created by or approved by Clermont County Planning Department
 - OR
 - (b) A paper copy of Survey Plat of the proposed split/711 Transfer created by a registered Surveyor and submitted by the Owner/Agent
- (B) Approvals Required (in this order)
 - (a) Township Zoning
 - (b) ODOT if abutting a state highway
 - (c) Clermont Planning Dept.
 - (d) Clermont Building Dept.
 - (e) Clermont Engineer's Office
 - (f) Applicable Sanitary Agency
- (2) Submit to Tax Map Office
 - (A) Required
 - (a) Approved Certificate of Compliance
 - (b) Original signed Mylar Survey Plat with signatures (Surveyor, Twp. Zoning, and Health District)
 - (c) Legal descriptions and Deeds for each new parcel
- (3) Deliver Deeds to Auditors Office
- (4) Record Deeds in the Recorder's Office
 - (A) Fee 1-2 pages \$28, every additional page \$8

See section 323-326 and Article IV of The Clermont County Subdivision Regulations for detailed information, checklists and applications.

<http://planning.clermontcountyohio.gov/AdoptedSubdivisionRegulationsFinalEnacted.pdf>

Exhibit C

Chapter 4733-37 Standards for Boundary Surveys

4733-37-01 Preamble.

These rules are intended to be the basis for all surveys relating to the establishment or retracement of property boundaries in the state of Ohio. When the case arises where one or more provisions herein must be abridged due to local condition, the abridgement shall be clearly indicated on plats and/or legal descriptions and reports. Where local or other prescribed regulations exist which are more restrictive than these rules, the survey shall conform to all local and state regulatory standards. When a client desires only a portion of his property surveyed, and this portion can be clearly isolated from the remainder of the property without affecting the interests of adjoining owners, these rules shall apply to the survey of only the desired portion.

R.C. 119.032 review dates: 08/18/2008 and 08/18/2013

Promulgated Under: 119.03

Statutory Authority: 4733.07

Rule Amplifies: 4733.20

Prior Effective Dates: 5/1/1980; 11/1/2003

4733-37-02 Research and investigation.

(A) The surveyor shall consult deeds and other documents, including those for adjacent parcels, in order to assemble the best possible set of written evidence of every corner and line of the property being surveyed.

(B) After all necessary written documents have been analyzed, the survey shall be based on a field investigation of the property. The surveyor shall make a thorough search for physical monuments, and analyze evidence of monumentation and occupation. In addition, the surveyor shall, when necessary, confer with the owner(s) of the adjoining property and the owner(s) of the property being surveyed.

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4733-37-03 Monumentation.

(A) The surveyor shall set boundary monuments so that, upon completion of the survey, each corner of the property and each referenced control station will be physically monumented.

(B) When it is impossible or impracticable to set a boundary monument on a corner, the surveyor shall set a reference monument, similar in character to the boundary monument and preferably along one of the property lines which intersect at that corner. When such a reference monument is used, it shall be clearly identified as a reference monument on the plat of the property and in any new deed description which may be written for the property.

(C) Every boundary monument and/or reference monument set by the surveyor shall, when practicable:

(1) Be composed of a durable material.

(2) Have a minimum length of thirty inches.

(3) Have a minimum cross-section area of material of 0.21 square inches.

(4) Be identified with a durable marker bearing the surveyor's Ohio registration number and/or name or company name.

(5) Be detectable with conventional instruments for finding ferrous or magnetic objects.

(D) When a case arises, due to physical obstructions such as pavements, large rocks, large roots, utility cables, etc., so that neither a boundary monument nor a reference monument can be conveniently or practicably set in accordance with paragraph (C) of this rule, then alternative monumentation, which is essentially as durable and identifiable (e.g., chiselled "X" in concrete, drill hole, etc.) shall be established for the particular situation.

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Rule Amplifies: 4733.20

Prior Effective Dates: 5/1/1980; 11/1/2003

4733-37-04 Measurement specifications.

All measurements shall be made in accord with the following specifications:

(A) The surveyor shall keep all equipment used in the performance of surveying in proper repair and adjustment.

(B) Every determination of distance shall be made either directly or indirectly in such a manner that the linear error in the distance between any two points (not necessarily adjacent points) shall not exceed the reported distance divided by ten thousand (allowable linear error = reported

distance divided by ten thousand) and every angular measurement shall be made in such a manner that the allowable (directional) error, in radians, shall not exceed the allowable linear error divided by the reported distance (allowable (directional) error = allowable linear error divided by reported distance). When the reported distance is less than two hundred feet, the linear error shall not exceed 0.02 feet. The reported distance is the distance established by the survey.

(C) In all new descriptions and plats of survey, the lengths and directions of the lines shall be specified so that the mathematical error in closure of the property boundary does not exceed 0.02 feet in latitudes and 0.02 feet in departure.

(D) Surveys performed using metric measurements shall utilize the metric equivalents based upon the U.S. survey foot conversion factor.

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Prior Effective Dates: 5/1/1980; 11/1/2003

4733-37-05 Plat of survey.

(A) The surveyor shall prepare a scale drawing of every individual survey, or drawings comprising all of the surveys when they are contiguous, in which the surveyor retraces previously established property lines or establishes new boundaries.

(B) A copy of this drawing shall be given to the client. When required, another copy shall be filed with the appropriate public agencies.

(C) The surveyor shall include the following details:

(1) A title such that the general location of the survey can be identified. The title shall include, but not be limited to: state, county, civil township or municipality, and original land subdivision description.

(2) A north arrow with a clear statement as to the basis of the reference direction used.

(3) The control station(s) or line cited in the description and the relationship of the property to this control must be referenced to an established monumented point of beginning such as, but not limited to: centerline intersection of streets or highways record, section or quarter section corners, Virginia military survey corners or lines, or platted lot corners. The type of monuments set or found at the control stations shall be noted.

(4) A notation at each corner of the property stating that the boundary monument specified in the deed description was found, or that a boundary monument was set, or a legend of the

symbols used to identify monumentation. In addition, there shall be a statement describing the material and size of every monument found or set.

(5) A general notation describing the evidence of occupation that may be found along every boundary line or occupation line.

(6) The length and direction of each line as specified in the description of the property or as determined in the actual survey if this differs from what is stated in the deed description by more than the tolerance specified in paragraph (B) of rule 4733-37-04 of the Administrative Code. The length and direction shall be stated as follows:-.

(a) Bearings expressed in degrees, minutes and seconds and distances expressed in feet and decimal parts thereof on each course. If a metric equivalent distance is stated, it shall be stated to the third decimal place.

(b) All curved lines shall indicate the radius, central angle, curve length, chord bearing and chord distance.

(c) Each course shall show other common lines such as centerline of roads, rivers, streams, section lines, quarter section lines, half section lines or other pertinent common lines of record.

(7) A citation of pertinent documents and sources of data used as a basis for carrying out the work. The citation shall include, but not be limited to: current deeds as of the date of the survey, prior deeds or other documents of record, and available deeds of record for adjoining parcels along each boundary line of the survey. If the adjoining parcel is a recorded subdivision, only the subdivision name, recording information and lot numbers need to be shown.

(8) The written and graphical scale of the drawing.

(9) The date of the survey.

(10) The surveyor's printed name and Ohio registration number, signature and seal (in a form which may clearly reproduce on any copies which may be made of the original drawing).

(11) The area contained within the perimeter of the surveyed parcel.

(12) All references to roads or railroads contiguous to the surveyed parcel shall use current names or names of record and applicable right of way widths, if available.

(13) All references to rivers or streams shall use current names of record, if available.

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4733-37-06 Descriptions.

(A) When a surveyor is called upon to prepare a new description, either to replace an existing description which is inadequate or to create a new piece of property, said description shall include the following items:

- (1) Sufficient caption so that the property can be adequately identified.
- (2) A relationship between the property in question and clearly defined control station(s).
- (3) The basis of the bearings.
- (4) A citation to the public record of the appropriate prior deed(s).
- (5) The surveyor's name, Ohio registration number and date of writing and/or survey.

(B) A metes and bounds description shall include, in addition to paragraph (A) of this rule:

- (1) A description of the boundary monument used as the initial point of the description.
- (2) A series of calls for successive lines bounding the parcel, each of which specifies:
 - (a) The intent in regards to adjoiners or other existing features.
 - (b) The direction of the line relative to the direction of the basis of bearing.
 - (c) The length of the line.
 - (d) A description of the boundary monument (or reference monument) and whether found or set to identify the end of the particular line.
 - (e) All curved lines shall indicate the radius, central angle, curve length, chord bearing, chord length and direction of the curve.
- (f) The reported boundary data shall meet the closure requirements of paragraph (C) of rule 4733-37-04 of the Administrative Code.

(3) The area of the parcel.

(C) Descriptions other than metes and bounds descriptions may be a reference to a recorded survey plat or a parcel on a recorded survey plat and shall include sufficient and adequate legal and technical wording so that the property can be definitely located and defined.

(D) A statement shall appear indicating that either: the description was made in accordance with a recent survey and the date thereof, or the description was made based on a previous survey, of a certain date, and date of description, or the description was not based on a survey.

(E) When the surveyor knows a new description is to be used for a fee transfer, the surveyor shall base the description on a current or updated survey of the property.

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4733-37-07 Subdivisions.

When a subdivision is created from a piece of property, or several adjoining pieces, the following rules shall apply:

(A) Rule 4733-37-02 of the Administrative Code shall apply to the original tract(s) of land prior to being subdivided.

(B) Rule 4733-37-03 of the Administrative Code shall apply to the outside perimeter of the original tract(s) of land and to the outside perimeter of the newly created subdivisions. All newly created lots, blocks, rights of way, angle points, points of curvature and points of tangency shall be monumented according to local regulations. Street rights of way may be monumented with monuments on the centerline instead of right of way monuments. Centerline or right of way monuments shall be set at all intersections, angle points, points of curvature and points of tangency.

(C) All newly created subdivisions shall comply with rules 4733-37-04 and 4733-37-05 of the Administrative Code.

(D) All easements within a newly created subdivision shall be accurately dimensioned so that each easement line can be reproduced without ambiguity.

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